

Processus de corruption en Suisse. Une recherche empirique

Korruption in der Schweiz. Eine empirische Studie

Responsables du projet

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Résumé

Corruption, either as a phenomenon in itself or as a transactional process, had never been the subject of in-depth research in Switzerland. Our aims were to fill a part of this knowledge vacuum and to achieve a better understanding of both supporting factors, circumstances, and opportunities, as well as relevant sectors of activity and the main actors involved (or at risk of involvement) in the process of corruption. The successive stages of the research and a short summary of the results produced are the following:

1. An analysis of despatches from the Swiss News Agency between 1985 and 1997, revealed a very strong increase in media interest in corruption cases. This suggests that corruption is no more a taboo topic and the media are certainly playing their role as the "fourth estate" in reinforcing public awareness of this phenomenon.
2. Through an in-depth analysis of the criminal files (of 89 accused) and disciplinary records (of 18 civil servants investigated) we were able to examine (in the cantons of Geneva, Tessin and Valais) cases primarily concerned with corruption in its narrowest sense, in which 34 people were actually convicted by the criminal justice system (18 private agents and 16 public servants). The sectors of business most affected by these cases of sanctioned corruption are: the public construction market (17 people convicted - 50% of all cases - of whom 7 are entrepreneurs and 10 are public servants); supplies (especially information technology); the police and customs as well as publisherities concerned with the issuing of official permissions or licences.
3. An initial series of interviews held with selected informants (33 in the public sector and 29 in the private sector) confirmed that the public sector of the construction market is perceived as particularly susceptible to both illegal practices and processes of corruption.
4. An in-depth study of this sector in all three cantons was then conducted. For the professionals whom we interviewed (98 people, of whom 51 worked in the private sector) there was, in the public construction market, a dividing line. This was between, on the one hand the existence of a limited amount of recognized corruption and fraud, and on the other hand, the very rife practices of trading in influence, cronyism and use of the old boy network. The very close relationships between entrepreneurs, policy makers (the two very often coming together in local government) and members of the public administration, injects significant bias into the public markets.
5. Next, we dedicated ourselves to an analysis of the «grey area» in the corruption process represented by trading in influence, cronyism and the old boy network. In each of the cantons studied, we looked at a specific sector that had been pointed out to us (in earlier stages) as significant in this respect. With regard to Tessin, we studied «complicity networks», particularly as mediated through the political parties; in Geneva, it was the allocation of residential and work permits, as well as the mechanisms for identifying illegal workers in the «black» economy; in Valais, it was procedures for uncovering («administrative monitoring») and sanctioning corruption and in particular the role of the judicial system.
6. A detailed critical analysis of the legislation and practices surrounding corruption in public, civil as well as criminal law allowed us to put our finger on the shortcomings in Switzerland, evidenced by the compartmentalisation of legal fields as well as in the absence of any genuine anti-corruption strategy.
7. Finally we compared our own research data on corruption with those produced by international publications in sociology, political science and criminology.

As regards recommendations for action, our work has convinced us that, in order for Switzerland to reinforce its capacity to resist corruption, it is necessary to put in train a global strategy integrating actions for prevention and response. We have prepared 50 concrete proposals for this purpose (35 measures of prevention and 15 of better reaction and sanction).

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